

**GJP**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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ANDRE D. BUTLER,	:	
	:	
Plaintiff	:	
	:	
v.	:	<b>COMPLAINT:</b>
	:	
LIBERTY MUTUAL,	:	<b>15 4138</b>
	:	
Defendant,	:	
	:	

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**COMPLAINT**

Plaintiff, by and through being Pro Se, hereby files this Complaint in the EASTERN DISTRICT COURT OF PENNSYLVANIA. Plaintiff states the following grounds and jurisdiction to bring forth his complaint: In accordance with the 14th Amendment to the U.S Constitution which states: no person shall be deprived of Life, Liberty, or Property without Due Process of Law. (502(a)(3) of ERISA) which allows for civil relief after a failed appeal. Also 28 U.S.C.§1332., 28 U.S.C.§1331. and 28 U.S.C.§1343. Which gives Plaintiff standing to bring forth his causes of action and claim for relief by and through this Court and it's Jurisdiction over this Breach of Contract.

## **COMPLAINT**

Plaintiff Andre D. Butler brings forth the following causes of action and alleges the following to be true that based on his Contract with Liberty Mutual that they are in breach.

1. Liberty Mutual was Plaintiffs Short term, Long term Disability Insurance Provider.
2. On September 21, 2011 Liberty Mutual Paid for a Claim that was submitted by Plaintiff in the amount of 2,471.21.
3. Liberty Mutual was furnished by Plaintiff with all medical evidence required by His chosen Health Care Providers who are Licensed in Pennsylvania.
4. Liberty Mutual used an opinion of a Doctor who is not or was not Plaintiffs Treating Physician to deny his Disability claim
5. Plaintiff Appealed this denial and received confirmation that Liberty Mutual was indeed using a Doctor who was not a Treating Physician to deny his claim.

## **COUNT 1-CONTRACT**

Defendant has broken a written Contract to pay for Plaintiffs Disability.

## **COUNT 2-FRAUD**

Defendant used a Doctor who is not a treating Physician to deny Plaintiffs claim for disability thereby causing a breach in the contract with the intent to defraud Plaintiff out of monies owed.

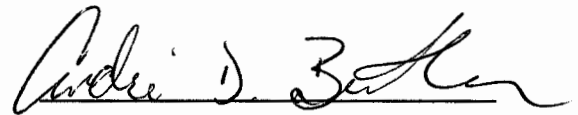
## **PAIN, SUFFERING AND MENTAL ANGUISH**

Defendant has caused Plaintiff to suffer a severe financial loss that has caused Plaintiff to lose his home and to not be able to pay his bills, child support, or any other expenses almost resulting in his incarceration which causes emotional and behavioral problems.

## **DAMAGES**

WHEREFORE, Plaintiff seeks compensatory damages in the amount of \$1,186,080 and punitive damages in the amount \$5,000,000 (FIVE MILLION) including Court costs.

Dated: July 28, 2015

A handwritten signature in black ink, appearing to read "Andre D. Baker", written over a horizontal line.